

APS QUICK TRAINING

The APS Act was established in 1988 and is a program designed to meet the needs of Vulnerable Adults. It assures the availability of the program to all eligible persons. It also places the authority and responsibility for investigations and interventions in situations of abuse/neglect of vulnerable adults with the Department of Health and Human Services and local law enforcement agencies. The act authorizes and requires the least restriction possible on the exercise of personal and civil rights consistent with the person's need for services.

1. APS investigates allegations of abuse, neglect and/or financial exploitation of vulnerable adults. This is knowing, intentional or negligent acts or omissions.
2. A "vulnerable adult" is someone who is 18 years or older and who has a substantial mental or functional impairment, or for whom a guardian has been named. The questions we ask are—Does the client understand the consequences of his/her actions? Is the client able to provide care for themselves?
3. Mandated reporters are as follows: any medical or mental health professional, law enforcement/rescue personnel, any owner, operator or employee of any facility that is licensed by the State of Nebraska and all human service personnel. Anyone can report a case to APS.
4. Reports, if accepted for investigation are assigned one of three priorities:
 - Priority One: Emergency, **life threatening**---Investigators have 8 hours to respond, however, all emergency reports are responded to within about 2 hours.
 - Priority Two: Is a serious, but not life threatening situation---We have 5 working days to respond.
 - Priority Three: Is a less serious and long term situation---We have 10 working days to respond.
 - Copies of all accepted reports are sent to the appropriate law enforcement agencies for their information and possible investigation.

5. Investigators are given a maximum of 60 calendar days to investigate the allegations in the report and determine whether or not the allegations have merit to open the case for ongoing services.
6. Conclusions that may be reached in the Investigation
Include: Court Substantiated, Department Substantiated-Referred for Legal Action, Substantiated-Services Accepted, Services Refused, or Services Not Needed, Unfounded or Unable to Locate.
7. Ongoing services may include legal intervention through either Probate or Criminal Court, or assistance to meet the client's needs as substantiated during the course of an investigation to make the client safe.
8. APS **CAN—Investigate** allegations of abuse/neglect, **provide information** to the County Attorney, and law enforcement, **offer and arrange services, intervene legally** when necessary and **obtain State subpoenas** for records.
9. APS **CANNOT—become a Guardian/Conservator** (there is no such thing as a State Ward for adults), **remove someone** from their home without their permission or a legal action, or **force someone** to accept services. **APS is not a Guardianship Service, or a Placement Service.**

FINAL POINTS

CONFIDENTIALITY: APS does not share any case information, including the name of the reporter to any interested parties within the case. This is mandatory for APS. The only time we will share case information is in court and we are ordered to do so by a Judge.

APS will share information with Law Enforcement and a County Attorney as needed for further investigation or prosecution by these agencies if referred by APS.

The APS hotline is a
24-Hour Statewide number.
It is 1-800-652-1999.

Additional Talking Points:

1. Adult Protection Service for the State of Nebraska has a yearly budget of \$100,000.00. We are careful as to how we allocate these funds across the State.
2. There are no final reports to document the outcomes of cases.
3. Whatever DD Service Coordinators can do to assist in making the case begins with the report and should continue throughout the investigation.
4. Questions?